

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In Re: : Case No. 23-21164 JAD
: :
Kimberly S. Lint, : Chapter 13
: :
Debtor, : Document No.
: :
Kimberly S. Lint, : :
: : Related to Doc. #41
Movant, : :
: :
vs. : :
: :
No Respondents. : :

CONSENT ORDER TO APPROVE POST
PETITION AUTOMOBILE FINANCING

AND NOW COME the Debtor, Kimberly S. Lint, by her Counsel, Zebley Mehalov & White, P.C. and Daniel R. White, Esquire, and Chapter 13 Trustee, Ronda J. Winneccour, by her Counsel, Kate DeSimone, and files the within Consent Order to Approve Post Petition Automobile Financing representing as follows:

1. This Consent Order is being sought on an emergency basis as Debtor has an immediate need to purchase a used vehicle for personal use.
2. Movant is the Debtor in this Chapter 13 Bankruptcy proceeding having filed a Voluntary Chapter 13 petition on May 30, 2023.
3. The Debtor has a Chapter 13 plan dated June 20, 2023, which provides for a distribution to unsecured creditors with a plan payment of \$875.00 per month.
4. The Debtor has commenced monthly payments to the Trustee with payments being remitted through ACH. Debtor is in month 6 of a 36 month plan and her payments are current.
5. The Debtor is seeking secured financing in order to purchase a used vehicle for Debtor's personal use.

Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Debtor's *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtor is authorized to obtain secured financing for the purchase of a used vehicle on the following terms:
 - (a) the total amount of financing shall not exceed \$25,000.00 and interest rate

should not exceed 20%; and;

- (b) the monthly payments made under the financing agreement **shall not exceed \$500**/per month.
- 2. To the extent that Debtors secure financing for the purchase of a used vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:
 - (a) an amended chapter 13 plan; and
 - (b) a report of purchase/financing.
- 3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of purchase/financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
- 4. Pending confirmation of any amended plan providing for the new postpetition loan payments, the Trustee is authorized to make monthly adequate protection payments to the **POSTPETITION AUTOMOBILE LENDER** for the contract amount so long as sufficient supplemental funds are provided by Debtors.
- 5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the **POSTPETITION AUTOMOBILE LENDER**.
- 6. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

ZEBLEY MEHALOV & WHITE, P.C.

/s/ Daniel R. White

Daniel R. White
PA I.D. No. 78718
P.O. Box 2123
Uniontown, PA 15401
Telephone: 724-439-9200
Facsimile: 724-439-8435
Attorney for Debtors
Email: dwhite@Zeblaw.com

OFFICE OF THE CHAPTER 13 TRUSTEE

/s/Kate DeSimone

Kate DeSimone
U.S. Steel Tower-Suite 3250
600 Grant Street
Pittsburgh, PA 15219
412-471-5566

Prepared by: Daniel R. White, Esquire

SO ORDERED.

Dated: November 27, 2023

11/27/2023



sjk

Judge Jeffery A. Deller
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:
Debtor(s)
Counsel for Debtor(s)
Kate DeSimone
Office of the U.S. Trustee

FILED
11/27/23 2:58 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Kimberly S. Lint
Debtor

Case No. 23-21164-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: auto

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Date Rcvd: Nov 27, 2023

Form ID: pdf900

Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2023:

Recip ID	Recipient Name and Address
db	+ Kimberly S. Lint, 706 Isabella Road, Connellsville, PA 15425-4113
	+ Kate DeSimone, Esq., Suite 3250 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219-2702

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 29, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 27, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Freedom Mortgage Corporation bnicholas@kmllawgroup.com
Daniel R. White	on behalf of Debtor Kimberly S. Lint lori@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbefc@brockandscott.com mario.hanyon@brockandscott.com
Matthew Fissel	on behalf of Creditor Freedom Mortgage Corporation matthew.fissel@brockandscott.com wbefc@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	

District/off: 0315-2

User: auto

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Date Rcvd: Nov 27, 2023

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Total Noticed: 2

cmevf@chapter13trusteewdpa.com

TOTAL: 6